RIDER JUSTICE

THE RIDER JUSTICE RIDER SERIES

THE COLORADO RIDER'S GUIDE TO MOTORCYCLE INJURY COMPENSATION

Presented by Rider Justice · Denver, Colorado

NAMIL PREMIER

Member, National Academy of Motorcycle Injury Lawyers

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CHAPTER 1

A MESSAGE TO DENVER'S RIDERS

The only thing worse than being seriously hurt in a motorcycle crash is not getting the compensation you deserve, or finding out later that an insurance company took advantage of you.

Insurance companies have every advantage. They aren't worried about medical bills, lost wages, or putting food on the table. Their adjusters are trained to diminish, devalue, and deny motorcycle claims, and behind them stands an army of lawyers whose only job is to pay you as little as possible.

Here's the truth: you don't have to face them alone. **Scott O'Sullivan** spent years as an insurance company defense lawyer before switching sides to represent only injury victims, and through Rider Justice and our membership in the **National Academy of Motorcycle Injury Lawyers (NAMIL)**, we stand up for injured Colorado riders. We know how insurers operate from the inside, and we don't back down.

If you've been hurt, don't wait. Every day that passes is another day the insurance company is working against you. Call **(303) 388-5304** for straight answers.

CHAPTER 2

THE FIRM IN YOUR CORNER

Scott O'Sullivan

Founder, Rider Justice & The O'Sullivan Law Firm

Scott O'Sullivan earned his undergraduate degree from Hobart and William Smith Colleges in 1991 and his Juris Doctor from the **University of Denver School of Law** in 1996. He began his career as an insurance company defense lawyer, but grew tired of watching big insurers squeeze injured people out of the money they deserved, and made the decision to represent only injury victims. He founded The O'Sullivan Law Firm in 2008 and created Rider Justice to focus specifically on Colorado's motorcycle riders.

WHY RIDERS CAN TRUST THIS FIRM

- **Over 25 years** helping injured motorcycle riders, including years spent seeing how insurance companies build their defense from the inside.
- Member of the **Colorado Trial Lawyers Association** (Auto Litigator's Committee), the **Colorado Bar Association**, and the **Denver Bar Association**.
- Author of *Motorcycle Law: A Little Book About the Big Things You Should Know*, a free guide written to help riders navigate Colorado's confusing motorcycle insurance and injury laws.
- Featured speaker at national **NAMIL** conferences and masterminds on motorcycle injury law.

FIRM COORDINATES

Rider Justice · 604 North Ogden Street, Denver, CO 80218
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CHAPTER 3

DON'T GET PLAYED BY THE ADJUSTER

The first thing the other driver's insurer wants is a recorded statement and a signed release. Don't give either. Once they have your words on tape, they will twist them to deny or minimize your claim. If you think you can handle an adjuster alone, test them with these questions and watch the red flags appear.

11 QUESTIONS EVERY RIDER SHOULD ASK AN ADJUSTER

1. Will you put in writing that the crash was not my fault?
2. What are your insured's policy limits? Show me the declaration page.
3. Can I have a copy of your insured's recorded statement?
4. If you want my medical records, will you give me copies of everything you collect?
5. Will you share statements from other witnesses?

6. Does your insured have umbrella or secondary coverage? Put it in writing.
7. What personal or medical information have you gathered on me from databases?
8. Have you pulled my credit report or debt information?
9. Have you canvassed my neighbors or people I know?
10. Have you conducted surveillance on me? Show me the photos or video.
11. What reserve amount have you set on my case?

If the adjuster says "no" to any of these, that's a flashing warning sign they don't intend to treat you fairly. Scott spent years on the other side of this table, he knows exactly which of these questions insurers dread.

CHAPTER 4

FIVE STRATEGIES THAT CAN GROW YOUR SETTLEMENT

These aren't tricks. They're proven habits that can significantly increase the value of your case if you start them early.

1. TAKE PHOTOS, LOTS OF THEM.

The scene, your injuries, your bike, the other vehicles, your recovery. Pictures tell a story words can't.

2. GET DIAGNOSED FOR EVERY INJURY.

Don't shrug off "minor" pain. If it isn't in your medical record, insurers will argue it came from something else.

3. FOLLOW DOCTOR'S ORDERS.

Every appointment, every therapy session. Skipping care is the easiest way to tank a claim.

4. BRING IN THE RIGHT EXPERTS.

Accident reconstructionists, medical life-care planners, and economists make your damages undeniable.

5. NEGOTIATE THE MEDICAL BILLS.

Even after you win, reducing outstanding bills keeps more money in your pocket. A good firm does this for you every day.

CHAPTER 5

FIVE MISTAKES THAT CAN RUIN YOUR CLAIM

- **Giving a recorded statement.** Never let the other driver's adjuster record you.
- **Believing the adjuster.** If they say you don't have a case or you're at fault, get a lawyer's opinion first.
- **Failing to capture evidence.** Skipping photos of the scene, vehicles, or injuries is a mistake you can't undo.
- **Missing medical appointments.** Every gap in treatment becomes ammunition that you "weren't really hurt."
- **Representing yourself.** You're too close and too untrained in the maneuvering. Your words can be used against you. A lawyer's can't.

CHAPTER 6

COLORADO MOTORCYCLE INSURANCE ESSENTIALS

Most riders don't realize how little coverage Colorado law requires, and the state's minimums haven't kept pace with real medical costs.

COLORADO MINIMUM COVERAGE (C.R.S. § 10-4-620)

25 / 50 / 15

$25,000 bodily injury per person · $50,000 per crash · $15,000 property damage. Colorado does not require Personal Injury Protection (PIP) since moving away from no-fault insurance, so unless you add Medical Payments coverage yourself, your own medical bills after a crash depend on health insurance or the at-fault driver's liability limits.

A single surgery can top $100,000. Rehab and lost wages pile on fast. If the driver who hits you carries only Colorado's minimum, you'll be left with pennies unless you protected yourself with your own coverage.

WHAT RIDERS SHOULD CARRY

- **Liability:** at least 100/300 if you can.

- **UM/UIM:** match your liability limits, this is your real lifeline in Colorado.
- **Medical Payments (MedPay):** optional in Colorado, but worth adding since PIP isn't required.
- **Umbrella:** worth it if you own a home or assets.

CHAPTER 7

THE UM/UIM LIFESAVER: A REAL-NUMBERS STORY

Picture a rider hit by a driver who ran a red light on Colfax Avenue. Medical bills alone top $250,000. The problem: the at-fault driver carried only Colorado's minimum, $25,000 in liability.

Without protection, that rider is financially ruined. But say they carried **Underinsured Motorist coverage of $250,000**. When the at-fault driver's insurance runs out, their own UIM picks up the rest.

THE MATH

At-fault driver's insurance: $25,000
Your UIM coverage: $250,000
Total available: $275,000

Riders skip UM/UIM to save a few bucks. Don't. In Colorado it's the difference between recovery and ruin.

CHAPTER 8

WHAT IS MY CASE WORTH IN COLORADO?

There's no magic calculator, but three factors drive most of it: **liability** (how clearly the other driver is at fault), **available insurance** (policy limits set the ceiling), and **your lawyer** (insurers track which firms actually try cases, and know Scott's background on the other side of the table).

COLORADO'S MODIFIED COMPARATIVE NEGLIGENCE RULE (C.R.S. § 13-21-111)

Colorado uses **modified comparative negligence with a 50% bar**. If you're found **50% or more at fault**, you recover nothing. If you're found less than 50% at fault, your damages are reduced by your percentage of fault. Insurers know this bright line and fight hard to push your share of blame up to that 50% cutoff.

Other factors adjusters weigh: the severity and permanence of your injuries, current and future medical bills, lost wages and earning capacity, your credibility, and the at-fault driver's conduct (impaired? distracted?).

CHAPTER 9

TIMELINE: HOW LONG UNTIL IT SETTLES?

- **Never settle too soon.** Insurers dangle quick low offers before you know the full extent of your injuries.
- **Wait for Maximum Medical Improvement (MMI).** Settle before you've healed as much as you will, and you're gambling with your future care.
- **After treatment, expect 3–6 months** to gather bills, build a demand, and negotiate.

COLORADO DEADLINE

You generally have **three years from the date of injury** to file most motor-vehicle personal-injury lawsuits in Colorado (C.R.S. § 13-80-101). Miss it and your claim is gone. Don't wait to get advice.

CHAPTER 10

DO I HAVE TO GO TO COURT?

"I'm not the suing type." We hear that a lot. The truth: **you're the boss**, and most cases settle before trial. But filing suit is sometimes how you make a stubborn insurer pay full value. It opens access to records, statements, and depositions, and it tells the insurer you're serious. Having a firm willing to try the case is often what makes the difference, even if you never see a courtroom.

CHAPTER 11

EVIDENCE WINS CASES: YOUR POST-CRASH PLAYBOOK

IMMEDIATELY AFTER A CRASH

- Photograph the scene, vehicles, your bike, your gear, and your injuries.
- Get witness names and numbers.
- Call police and get the crash report.
- Save your gear, don't toss the helmet, jacket, or gloves. They prove impact.

MEDICAL EVIDENCE IS EVERYTHING

- Report every symptom, even "small" ones. Undocumented means denied.
- Follow treatment. Keep a simple pain journal (pain, sleep, mobility).
- Helmet-cam or dash-cam footage can be a game-changer.

CHAPTER 12

DENVER & COLORADO RIDING RISKS

- **I-25 & I-70 interchange ("The Mousetrap").** Dense, fast-merging traffic where distracted drivers routinely miss motorcycles in their blind spots.
- **Downtown Denver grid & Colfax Avenue.** Heavy pedestrian and bar-district traffic means sudden door-openings and jaywalkers.
- **Mountain canyon roads (I-70 west, Peak-to-Peak, Highway 285).** Beautiful riding, but hairpin turns, loose gravel, rockfall, and sudden weather changes at altitude.
- **Afternoon thunderstorms.** Colorado's Front Range gets fast-building summer storms, hail included, that turn mountain roads slick and visibility poor within minutes.
- **Wildlife on rural highways.** Deer and elk crossings are a real hazard on roads leading out of the metro area.

COLORADO'S HELMET LAW

Colorado requires a DOT-approved helmet only for riders and passengers **under 18**. Adult riders 18 and older are not required to wear one. If you're an adult riding without a helmet and get hurt, an insurer may still try to use it against you to argue you contributed to the severity of your injuries, don't let them make that argument unchallenged.

CHAPTER 13

RIDE SAFER: PRO TIPS FOR COLORADO RIDERS

BRAKING & CORNERING

- Finish braking before you enter a curve, especially on mountain switchbacks.
- Avoid hard braking on painted surfaces and crosswalks.
- Practice emergency stops in a safe lot. Muscle memory saves lives.

ALTITUDE & WEATHER

- Watch for sudden temperature drops and afternoon storms at higher elevations.
- Double your following distance in rain or on canyon roads with gravel runoff.
- First rain after a dry spell is the most slippery. Ease off.

GEAR & VISIBILITY

- Bright jacket and reflective tape change whether drivers see you at intersections.
- Add auxiliary lights to grow your profile in Denver traffic.
- Check your tire date code (4-digit DOT) and replace tires every 5–6 years regardless of tread.

CHAPTER 14

RESULTS, REVIEWS & COMMUNITY

Scott O'Sullivan has represented injured Colorado motorcycle riders for over 25 years through Rider Justice and The O'Sullivan Law Firm, bringing a former insurance-defense lawyer's inside knowledge to every case. He is a member of the Colorado Trial Lawyers Association, the Colorado Bar Association, and the Denver Bar Association, and is a frequent speaker at national NAMIL conferences.

For Scott's approval before publishing: insert 2–3 real, firm-approved case results and a few verified client testimonials here. Per bar advertising rules and our own standard, we won't publish specific results or quotes that the firm hasn't reviewed and approved. Until then this section stays general.

Chapter 15

YOUR NEXT STEP: A FREE CASE REVIEW

If you've been hurt in a motorcycle crash, don't go it alone. The insurance company has a team of lawyers. So should you.

When you call Rider Justice, you'll talk to a real person, get your questions answered, and learn your rights before you sign anything. No pressure, no obligation, and if we take your case, you don't pay unless we win.

(303) 388-5304

riderjustice.com · Denver, CO

APPENDIX

QUICK REFERENCE

A · COLORADO INSURANCE CHEAT SHEET

- Minimum: 25/50/15 · No PIP/MedPay requirement in Colorado.
- Recommended: 100/300 liability + UM/UIM to match + MedPay.

B · AFTER-CRASH CHECKLIST

- Check for injuries, call 911.
- Photograph scene, vehicles, gear, injuries.
- Get witness info and the police report.
- Seek medical care the same day.
- Call Rider Justice before giving any statement.

C · GLOSSARY

- **MMI:** Maximum Medical Improvement, when you've healed as much as you will.

- **UM/UIM:** Uninsured / Underinsured Motorist coverage.
- **MedPay:** Optional Medical Payments coverage that pays your own medical bills regardless of fault.
- **Modified comparative negligence:** Colorado's rule barring recovery once you're found 50% or more at fault, and reducing damages by your fault percentage below that.

D · ABOUT NAMIL

The National Academy of Motorcycle Injury Lawyers is a nationwide network of attorneys dedicated to injured riders. Membership is limited to firms committed to bikers' rights. Rider Justice is NAMIL's member firm for the Denver market.

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